

Docket: UDC-20201 CON

REMARKS

Status of the Claims

Claims 44-59 are pending herein. Support for new claim 59 can be found, for example, in paragraphs 0028-0030 and 0034 of the originally filed specification. No new matter is added.

Claim 44 has been amended because no proper antecedent basis existed in that claim for a substrate layer. While a substrate may comprise a single layer, it may also comprise multiple layers (see, e.g., claim 59).

Rejection under 35 USC § 102(e)

Claims 44-55 are rejected under 35 USC § 102(e) as anticipated by Silvermail, U.S. Patent No. 6,624,568. Applicant respectfully traverses this rejection and its supporting remarks.

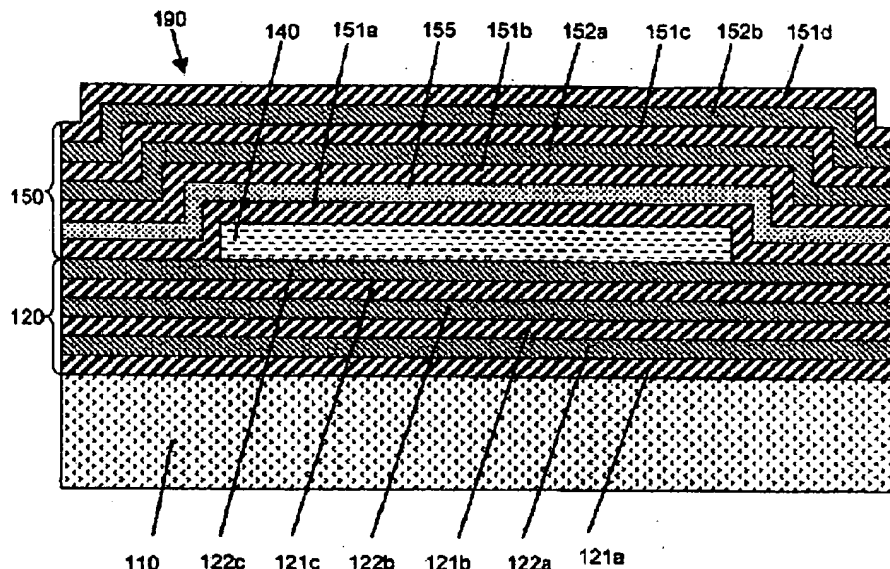
Claim 44, the only independent claim presently pending, reads as follows (emphasis added):

44. An organic optoelectronic device structure comprising:
- a substrate;
 - an organic optoelectronic device disposed over said substrate, said organic optoelectronic device selected from an organic light emitting diode, an organic electrochromic display, an organic photovoltaic device and an organic thin film transistor;
 - and
 - a barrier region disposed over said organic optoelectronic device, said barrier region comprising a plurality of cooperative barrier layers, said plurality of cooperative barrier layers further comprising a planarizing layer and a high-density layer, wherein said high-density layer is disposed over said planarizing layer in a manner such that said high-density layer extends to said substrate layer and, in conjunction with said substrate layer, completely surrounds said planarizing layer.

For a reference to anticipate a claim, it must disclose each and every element of the claim. See MPEP 2131 and cases cited therein, including *Richardson v. Suzuki Motor Co.*

For clarity, Fig. 2 of Silvermail, to which the examiner refers, is reproduced here:

Docket: UDC-20201 CON



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Like claim 44, the device of Silvernail contains a substrate 110,120, more particularly a substrate like that of Fig. 2 of the present specification (and new claim 59) which contains a polymeric substrate layer 110 over which is disposed a barrier region 120 that comprises a plurality of cooperative barrier layers which include more at least one planarizing layer 121a-c and at least one high-density layer 122a-c.

Like claim 44, the device of Silvernail further comprises an organic optoelectronic device 140 disposed over the substrate 110,120 and a barrier region 150 disposed over the organic optoelectronic device 140. The barrier region 150 comprises a plurality of cooperative barrier layers which further include at least one planarizing layer 151a-c and at least one high-density layer 152a-c.

However, unlike claim 44, Silvernail doesn't describe a device in which a high-density layer 152 is disposed over a planarizing layer 151 in a manner such that the high-density layer 151 extends to the substrate 110,120 and, in conjunction with the substrate 110,120, completely surrounds the planarizing layer 151.

As can be seen in the device of Silvernail, the ends of high density layers 152a-c and planarizing layers 151a-c are all illustrated as exposed to the external environment. One of the drawbacks of such an arrangement (pointed out by applicants in paragraph [0038] to [0042] of the specification as filed), is that the planarizing layers are not completely surrounded and each therefore presents a path of relatively low resistance to harmful environmental species such as

Docket: UDC-20201 CON

oxygen and moisture via its exposed ends. In contrast, the present invention as claimed requires that a high density layer extends to the substrate layer in such a manner that an underlying planarizing layer is *completely surrounded*.

Claims 45-59 depend from claim 44 and are therefore patentable over Silvermail for at least the same reasons as claim 44.

Reconsideration and withdrawal of the outstanding rejection under 35 USC 102(e) are requested.

To the extent that the examiner does not find the above persuasive, she is respectfully requested to contact the undersigned at (703) 433-0510.

CONCLUSION

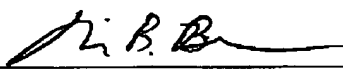
Applicant submits that all pending claims are in condition for allowance, early notification of which is earnestly solicited.

FEES

If there are any fees due and owing in respect to this amendment, the Examiner is authorized to charge such fees to deposit account number 50-1047.

Respectfully submitted,

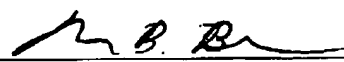
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I hereby certify that this document and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 571-273-8300 on August 24, 2006.

David B. Bonham
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